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AUG 31 2007

OFFICE OF PETITIONS

In re Application of :
Farm et al. : DECISION ON PETITION
Application No. 10/516,857 :
Filed: December 3, 2004 :
Atty Docket No. P/1228-189 :

This is a decision on the PETITION TO WITHDRAW NOTICE OF
ABANDONMENT filed April 9, 2007.

The above-identified application became abandoned for failure to
file a timely and proper reply to the non-final Office action
mailed June 27, 2006. This Office action set a shortened
statutory period for reply of three (3) months, with extensions
of time obtainable under § 1.136(a). No reply considered filed
and no extension of time considered obtained, the application
became abandoned effective September 28, 2006. A courtesy
Notice of Abandonment was mailed on March 27, 2007.

Petitioner states that in response to the Office action
(specifically, an Amendment/Submission and attached Replacement
Sheet) was timely filed electronically on September 25, 2006.
In support thereof, petitioner submits a copy of the amendment.

Petitioner's evidence has been reviewed, and is persuasive.
However, consideration of their evidence is unnecessary. Their
response, as noted by petitioner, is present in the application
with a date of receipt of September 25, 2006.

Accordingly, the Notice of Abandonment mailed March 27, 2007 is
hereby **VACATED**, and the holding of abandonment is hereby
WITHDRAWN.

The petition under § 1.181 is **GRANTED**.

No fee is required on petition under § 1.181.

Technology Center AU 3748 has been advised of this decision. The application file is, thereby, forwarded to the Technology Center's technical support staff to withdraw the holding of abandonment and for consideration by the examiner of the response of record as filed on September 25, 2006 (and resubmitted on petition filed April 9, 2007).

Telephone inquiries specific to this matter should be directed to the undersigned at (571) 272-3219.

A handwritten signature in black ink, appearing to read "Nancy Johnson". The signature is fluid and cursive, with the first name "Nancy" written in a larger, more prominent script than the last name "Johnson".

Nancy Johnson
Senior Petitions Attorney
Office of Petitions